Section No. 327 provides that every will or other testamentary instrument made out of the state shall be valid in Maryland, if made according to the forms required by the law of the place where the same was made, or by the law of the place where the testator was domiciled when it was made, and if the testator was originally domiciled in Maryland, though at the time of making the will he was domiciled elsewhere, the will so executed shall be admitted to probate in Maryland, etc. *Held,* that a holographic will not witnessed but executed in accordance with the laws of France, where it was made, by a citizen of Maryland, domiciled in France, was valid to pass real estate in Maryland; (2) that as the French word for property included both real and personal property, such will would pass an interest in real estate in Maryland. *Lindsay* v. *Wilson et al.* (1906), — Md. —, 63 Atl. Rep. 566.

Maryland's liberal construction of the statute places her with the few other states that have changed by statute the "conceded common law, and general principle of international comity, that the lex loci rei sitæ governs the formal execution, validity, etc., of wills of real estate." States holding the same are Connecticut since 1856, *Appeal of Irwin,* 33 Conn. 128 (1865); Rev. St. Wis. 1898, Vol. I, p. 1648; *Slocumb* v. *Slocumb,* 13 Allen (Mass.) 38.

WILLS—WITNESSES—SIGNATURE.—A paper was propounded for probate as a will, but it was shown that the paper was not signed by the alleged testatrix until after it was signed by the witnesses thereto, though there was evidence to the effect that the signing by the testatrix and by them all was a part of the same transaction, she having signed just after the last witness had subscribed his name. *Held,* "Witnesses to a will must subscribe their names as witnesses after the will is signed by the testator, there being nothing to attest until his signature has been annexed. It makes no difference that the signing and attestation are each part of one and the same transaction." *Lane* v. *Lane* (1906), — Ga. —, 54 S. E. Rep. 90.

A contrary view is held in many states: *O'Brien* v. *Gallagher* (1856) 25 Conn. 229; *Gibson* v. *Nelson* (1899), 181 Ill. 122, 54 N. E. 901, 5 Pro. R. An. 67, 72 Am. St. Rep. 254; *Swift* v. *Wiley* (1840), 1 B. Mon. (40 Ky.) 114, a leading case; *Sechrest* v. *Edwards* (1862), 4 Metc. (Ky.) 163, 167; *Lacey* v. *Dobbs,* 61 N. J. Eq. 575, 47 Atl. 481, 55 L. R. A. 580, 92 Am. St. Rep. 667; *Cutler* v. *Cutler* (1902), 130 N. Car. 1, 40 S. E. 689, 89 Am. St. Rep. 854, 57 L. R. A. 209, 7 Pro. R. A. 559 qualifying earlier decisions; *Miller* v. *Miller* (1860), 35 Pa. St. 217, 78 Am. Dec. 333; *Kaufman* v. *Caughman* (1897), 49 S. Car. 159, 27 S. E. 16, 61 Am. St. Rep. 808; *Rosser* v. *Franklin* (1849), 6 Gratt (Va.) 1, 52 Am. Dec. 97; *Moale* v. *Cutting,* 59 Md. 519. By attesting the witnesses learn that the testator executes the paper; by subscribing they so mark the paper that they may afterwards be able to identify it as the same one they attested execution of. It is not easy to see how the accomplishment of either of these purposes is in any way embarrassed by the fact that the identifying marks, the witnesses signatures, are made before they attest the execution of the will, provided both acts are done at the same meeting or occasion. ROOD ON WILLS, § 292.